

**AMENDMENTS TO THE DRAWINGS WITHOUT MARKINGS**

**IN THE DRAWING:**

Fig. 3 has been amended.

## **REMARKS**

The last Office Action of May 14, 2009 has been carefully considered. Reconsideration of the instant application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 25-48 are pending in the application. Claims 44-48 are withdrawn from consideration in response to a restriction requirement. No claims have been amended, canceled or added. No amendment to the specification has been made.

## **ELECTION/RESTRICTION**

In applicant's previous communication, although non-elected claim 44 was amended, this claim and claims 45-48, which are dependent on claim 44, were all labeled as "withdrawn". Still, applicant retained non-elected and withdrawn claims 44-48 because of possible rejoinder.

Reference is made in this context to M.P.E.P., Section 821.04(b), relating to rejoinder of process claims, where product claims are subsequently found allowable. As stated in this section, withdrawn process claims which depend from or otherwise require all the limitations of an allowable product claim will be considered for rejoinder. All claims directed to a nonelected process invention must depend from or otherwise require all the limitations of an allowable product claim for that process invention to be rejoined. Upon rejoinder of claims directed to a previously nonelected process invention, the restriction requirement between the elected product and rejoined process(es) will be withdrawn.

In any event, applicant has affirmed previously the withdrawal of nonelected claims 44-48 from further consideration.

## **OBJECTION TO THE DRAWING**

It is noted that the drawings are objected to because of applicant's failure to

show every feature set forth in the claims.

Applicant has made amendments to the FIG. 3 to indicate the conductor tracks 25 as described in paragraphs [0048] to [0051] of the specification by adding reference numeral "10". No new matter has been introduced. A new drawing sheet, labeled "REPLACEMENT SHEET" is enclosed.

Withdrawal of the objection to the drawing is thus respectfully requested.

### **CLAIM REJECTIONS - 35 U.S.C. §103**

Claims 25–27, 29–32, 34, 35, 39 and 41 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kondo et al. (US 5,900,687; "Kondo") in view of De Filippis et al. (US 6,924,570; "De Filippis").

Claims 28, 42 and 43 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kondo in view of De Filippis, and further in view of Morreale (US 4,039,875).

Claim 33 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kondo in view of De Filippis, and further in view of Takano et al. (US 6,566,779).

Claim 40 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Kondo in view of De Filippis, and further in view of Lin (US 6,100,614).

The rejection under 35 U.S.C. 103(a) is respectfully traversed in view of the following remarks.

Claim 25 is the sole independent claim. Claim 25 recites an electric machine with a rotor, a stator having at least one winding system constructed of a plurality of coils, with each coil having winding strands with ends, and at least one circuit support disposed on an end face of the stator and formed as a printed circuit board having formed thereon channels with printed conductor tracks interconnecting the winding strands in the channels in a predetermined wiring pattern, and webs arranged between the conductor tracks for separating electrical potentials and lengthening leakage paths between different phases. The at least one circuit support further includes snap-on connections engaging with the stator and securing the at least one

circuit support on the stator, and a cover having webs meshing with corresponding webs of the at least one circuit support and holding the winding strands down in the channels and maintaining the leakage paths between the different phases.

As admitted in the office action, Kondo et al. do not teach "a cover having webs meshing with corresponding webs of the at least one circuit support and holding the winding strands down in the channels and maintaining the leakage paths between the different phases" or "the at least one circuit support further comprising snap-on connections, engaging with the stator and securing the at least one circuit support on the stator".

The office action then relies De Filippis et al. as teaching a cover having webs meshing with corresponding webs of the at least one circuit support, citing element 15 as showing the cover and element 11 as showing the circuit support. While FIG. 1 in De Filippis shows wire guide elements 9 and a multiplicity of slots through which contacting elements 7, 8 are routed, there is no mention whatsoever of "webs meshing with corresponding webs of the circuit support (allegedly element 11 in FIG 3) and holding the winding strands down in the channels and maintaining the leakage paths between the different phases. In fact, "channels" are not mentioned at all in De Filippis.

Should the examiner maintain the rejection, applicant respectfully requests that the examiner identifies such channels providing the recited function in either the Kondo patent of the De Filippis patent.

Indeed, the examiner appears to admit that neither Kondo nor De Filippis disclose that the cover has webs meshing with corresponding webs of the circuit support and views this claimed feature as an obvious design choice. Applicant strongly disagrees. The difference between Kondo and/or De Filippis and the present invention is not merely a shape or size of the webs, but their specific interrelationship regardless of the actual shape (round, square, triangular, etc.) or their size (for example, in relation to the diameter of the cover), and the claimed invention does in fact not rely on such features to distinguish over the art of record.

The recited webs in the cover meshing with corresponding webs of the circuit support are a shape- and size-independent feature required to hold the winding strands down in the channels and maintain the leakage paths between the different phases.

The other cited patent documents (Morreale, Takano and Lin), cited against the dependent claims 28, 33, 40, 42 and 43 in addition to Kondo and De Filippis, also fail to disclose the features of claim 25 not found in Kondo and De Filippis.

It is patently clear from the lack of disclosure in Kondo and De Filippis, as admitted in the office action, that the features recited in claim 25 are novel and inventive and therefore patentable over the art of record.

For the reasons set forth above, it is applicant's contention that neither Kondo nor De Filippis, nor a combination thereof teaches or suggests the features of the present invention, as recited in claim 25.

Claims 26-35, 39-43, which depend from claim 25 and therefore contain all the limitations thereof, patentably distinguishes over the applied prior art in the same manner as claim 25.

Withdrawal of the rejection under 35 U.S.C. §103(a) is thus respectfully requested.

## **CITED REFERENCES**

Applicant has also carefully scrutinized the further cited prior art and finds it without any relevance to the claims on file. It is thus felt that no specific discussion thereof is necessary.

## **CONCLUSION**

In view of the above presented remarks and amendments, it is respectfully submitted that all claims on file should be considered patentably differentiated over the art and should be allowed.

The Examiner is also requested to withdraw the restriction requirement and to rejoin nonelected claims 44-48 because these claims require all the limitations of presumably allowable claim 25.

Reconsideration and allowance of the present application are respectfully requested.

Should the Examiner consider necessary or desirable any formal changes anywhere in the specification, claims and/or drawing, then it is respectfully requested that such changes be made by Examiner's Amendment, if the Examiner feels this would facilitate passage of the case to issuance. If the Examiner feels that it might be helpful in advancing this case by calling the undersigned, applicant would greatly appreciate such a telephone interview.

Respectfully submitted,

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